

RADIO BROADCASTING

Exchange of notes at Washington October 28 and December 10, 1938
*Entered into force March 29, 1941*¹
*Terminated April 19, 1960*²

53 Stat. 2042; Executive Agreement Series 136

The Secretary of State to the Canadian Minister

DEPARTMENT OF STATE
Washington, October 28, 1938.

SIR:

I have the honor to inform you of the Department's consideration of three arrangements resulting from the deliberations of the Inter-American Radio Conference which was held at Habana, Cuba from November 1 to December 13, 1937. Those Agreements relate to the following subjects:

a. Arrangement regarding radio broadcasting channels which provides for a tentative allocation of broadcasting frequencies established in view of the terms of the North American Regional Broadcasting Agreement, Habana 1937.

b. Agreement between the United States and Canada for the use of the frequency 540 kilocycles.

c. Agreement with respect to the assignment by the United States of a Class I-A station to the 700 kilocycle frequency with a power of 50 kilowatts or more and the assignment by Canada of a similar station with equal power on a frequency of 690 kilocycles.

For your convenience there are quoted the proposed arrangements outlined above:

a. ARRANGEMENT REGARDING RADIO BROADCASTING CHANNELS

There shall be in Canada sixteen full time station assignments to stations which at present are considered as regional or local stations, and under the proposed North American Broadcasting Agreement, signed at Habana,

¹ Date of entry into force of North American Regional Broadcasting Agreement signed at Havana Dec. 13, 1937 (TS 962, *ante*, vol. 3, p. 503).

² Date of entry into force of NARBA agreement signed at Washington Nov. 15, 1950 (11 UST 413; TIAS 4460).

December 13, 1937, will be classified at Class III or Class IV. Six of these stations shall have a power of 1,000 watts each and ten a power of 100 watts each, as follows:

<i>Frequency (kc)</i>		<i>Station</i>	<i>Location</i>	<i>Power</i>	<i>Class</i>
<i>Present</i>	<i>Proposed</i>				
1030	1300	CJBR	Rimouski, Que.	1000w	III
840	600	CFQC	Saskatoon, Sask.	1000	III
910	610	CJAT	Trail, B. C.	1000	III
960	610	CHNC	New Carlisle, Que.	1000	III
1010	620	CKCK	Regina, Sask.	1000	III
730	1260	CJCA	Belmont View, Alta.	1000	III
730	1230	CKPR	Port Arthur, Ont.	100	IV
690	1230	CJCJ	Calgary, Alta.	100	IV
730	1400	CFPL	London, Ont.	100	IV
1010	1240	CKIC	Wolfville, N. S.	100	IV
1010	1450	CKWX	Vancouver, B. C.	(50w)	IV
		CKCD		100	
1010	1310	CHML	Saltfleet Twp. Ont. (Hamilton).	100	IV
960	1340	CFRN	Edmonton, Alta.	100	IV
1010	1340	CKCO	Boom Island, Que.	100	IV
1510	1490	CKCR	Waterloo, Ont.	100	IV
1510	1490	CFRC	Kingston, Ont.	100	IV

In the case of Station CHML which remains on a regional channel, the Government of the United States agrees to protect this station from interference to the same extent as it is protected from other Canadian stations but in no event to a greater extent than that provided for Class IV stations on local channels.

These assignments are hereby reserved pending ratification of and placing in operation of the proposed North American Regional Broadcasting Agreement. Pending such events, the Governments of Canada and the United States agree that in making any changes in existing station assignments as of the date of this exchange of notes, or authorizing new assignments after that date, the assignments set out above will be afforded protection in accordance with the allocation standards as provided in the proposed Agreement.

In addition to these sixteen stations, there are thirteen stations now operating in Canada with power of 100 watts on channels that are now classified as regional channels and which under the terms of the proposed Agreement will be regional channels for assignment of Class III stations with a minimum power of 500 watts. Part II C 5 (b) of the proposed Agreement provides the Class IV stations may operate on regional channels, but, when so operated, they are subject to such interference as may be received from Class III stations which are not required to protect the Class IV stations on the same regional channel. The Parties to this exchange of notes recognize that, if possible, these stations should be reassigned to local channels in order that they may be afforded protection from interference from other stations in accordance with the allocation standards for Class IV stations. The assignments for these stations are provided accordingly as follows:

<i>Frequency(kc)</i>		<i>Station</i>	<i>Location</i>	<i>Power</i>	<i>Class</i>
<i>Present</i>	<i>Proposed</i>				
630	630	CFCO	Chatham, Ont.	100 w	IV
930	1230	CFCH	North Bay, Ont.	100	IV
580	1240	CFPR	Prince Rupert, B. C.	100	IV
950	1240	CJOC	Lethbridge, Alta.	100	IV
1120	1240	CRCS	Chicoutimi, Que.	100	IV
930	1450	CFLC	Prescott, Ont.	100	IV
930	1380	CKPC	Brantford, Ont.	100	IV
580	1450	CKCL	Toronto, Ont.	100	IV
1390	1450	CJGX	Yorkton, Sask.	100	IV
1450	1480	CHGS	Summerside, P. E. I.	100	IV
1120	1490	CHLP	Montreal, Que.	100	IV
1410	1490	CKFC	Vancouver, B. C.	100	IV
1410	1490	CKMO	Vancouver, B. C.	100	IV

Three of these stations (CFCO, CKPC, and CHGS) remain on regional channels and in accordance with the provisions above mentioned are not afforded protection from interference from the Class III stations on the channel. However, the Government of the United States agrees to protect these stations from interference to the same extent that they are protected from other Canadian stations but in no event to a greater extent than that provided for Class IV stations on local channels.

b. Recognizing the desirability of preserving the principle of their existing understanding as to the use of the frequency of 540 kilocycles for broadcasting by Canada and recognizing the desirability of affording, as far as reasonably can be done, protection to important aeronautical and maritime mobile services of the United States using frequencies in the non-public service band of 515 to 550 kilocycles from broadcast interference, the undersigned have agreed as follows:

1. The frequency of 540 kilocycles may be used by Canada for broadcasting purposes at a Canadian station which shall be located in the Province of Saskatchewan and operated so as not to produce a ground wave signal intensity in excess of 500 microvolts per meter on the Canadian-United States border west of longitude 105° W.

2. The United States of America may require that a directional antenna be installed at the station and that, if and when advice to that effect is given, Canada will install such directional antenna within one year from the date of receipt by Canada of such advice. The direction of maximum suppression of the antenna should be as near as possible in the direction of San Francisco, subject to allowing for a ground wave signal of 500 microvolts per meter intensity at any point along the boundary between Saskatchewan and the United States.

3. When, as and if a substitute broadcasting channel acceptable to the Canadian Government is made available for this station Canada agrees to discontinue the use of 540 kilocycles for broadcasting purposes.

4. This Agreement shall become effective from the date on which the North American Regional Agreement, signed at Habana on the 13th day of December, 1937, becomes effective. It shall remain in effect until the expira-

tion, on the part of the United States and Canada, of the said North American Regional Agreement.

5. The undersigned will recommend to their respective governments that consideration be given to the cancellation, on the date on which this Agreement becomes effective, of all prior agreements insofar as they have reference to the use of 540 kilocycles by Canada for broadcasting.

c. The Government of the United States of America agrees that if it should assign a Class I-A station to the channel 700 kilocycles with power greater than 50 kilowatts, it will take, or cause to be taken, such measures as are necessary to prevent the field intensity delivered by such station at night from exceeding a value five times as great as that which would be delivered by an efficient 50 kilowatt transmitter located at or near Montreal, Canada, on 690 kilocycles at a point near Rochester, New York. For this purpose the field intensities of the United States station shall be based on the 10% skywave and the Canadian station on the 50% skywave, during the second hour after sunset. If the field intensity delivered by the Canadian station should exceed that which would be delivered by an efficient 50 kilowatt transmitter then the actual field strength shall be taken as the basis for said ratio. In no event, however, shall the Class I-A station in the United States be required to deliver a field strength at said point less than that which would be delivered by an efficient 50 kilowatt transmitter located at or near Cincinnati, Ohio.

I accordingly have the honor to inquire whether the three Agreements outlined in this communication have the approval of your Government and whether, in the event of that approval, it is agreeable to the publication immediately of this note and such favorable reply as you may find it possible to make, it being understood that none of these Agreements shall become effective until the effective date of the North American Regional Broadcasting Agreement.

Accept, Sir, the renewed assurances of my highest consideration.

CORDELL HULL

The Honorable

Sir HERBERT MARLER, P.C., K.C.M.G.,
Minister of Canada.

The Canadian Minister to the Acting Secretary of State

CANADIAN LEGATION

Washington, December 10, 1938

No. 291

SIR,

With reference to your note No. 576.K1/658 of the 28th October, 1938, concerning three arrangements resulting from the deliberations of the Inter-

American Radio Conference, which was held at Habana, Cuba, from November 1 to December 13, 1937, I have the honour to state that the three proposed Agreements quoted in your note have the approval of the Government of Canada, it being understood that none of the three Agreements shall become effective until the effective date of the North American Broadcasting Agreement.

The Canadian Government are agreeable to the publication immediately of your note and of this reply.

I have the honour to be with the highest consideration Sir

Your most obedient humble servant

W. A. RIDDELL
For the Minister

THE HON. SUMNER WELLES,
Acting Secretary of State of the United States,
Washington, D. C.